



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities"

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Max Wilson, District 4, Vice Chairman
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Don Stapley, District 2
Mary Rose Wilcox, District 5

County Manager

David Smith

Clerk of the Board

Fran McCarroll

Meeting Location

Supervisors' Auditorium
205 W. Jefferson
Phoenix, AZ 85003

FORMAL MEETING AGENDA

BOARD OF SUPERVISORS Maricopa County, Arizona

(and the Boards of Directors of the Flood Control District, Library District,
Stadium District, Improvement Districts and/or Board of Deposit)

**Wednesday, October 15, 2008
9:00 AM**

Agendas are available within 24 hours of each meeting in the Office of the Clerk of the Board, 301 West Jefferson, Tenth Floor, Phoenix, Arizona, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. and on the internet at http://www.maricopa.gov/Clk_board/Agendas.aspx. One or more Board members may attend telephonically. Board members attending telephonically will be announced at the meeting. The Board may vote to recess into an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. §38-431.03(A)(3). Accommodations for individuals with disabilities, including alternative format materials, sign language interpretation, and assistive listening devices are available upon 72 hours' advance notice through the Office of the Clerk of the Board, 301 West Jefferson Avenue, Tenth Floor, Phoenix, Arizona 85003, (602) 506-3766, Fax (602) 506-6402, TTY (602) 506-2000. To the extent possible, additional reasonable accommodations will be made available within the time constraints of the request.

See the Clerk and fill out a speaker's form if you would like to address the Board regarding any matter on the agenda.

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The Maricopa County Clerk's Office presents this summarized information as a service to the public. The Clerk does not guarantee the accuracy of the data or information presented and expressly disclaims any responsibility for errors or damages resulting from the use of the information contained herein. The approved meeting minutes of the Board of Supervisors are the official publication of all legal actions taken by the Board.

GREEN – APPROVED / RED – DENIED / BLUE – CONTINUED
GOLD – WITHDRAWN / BROWN – NO ACTION

- 1. INVOCATION – NO ACTION**
- 2. PLEDGE OF ALLEGIANCE – NO ACTION**
- 3. ROLL CALL – NO ACTION**

BOARD OF SUPERVISORS

STATUTORY HEARINGS

Clerk of the Board

4. LIQUOR LICENSE APPLICATIONS

Pursuant to A.R.S. §4-201, this is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the license.

a. SPECIAL EVENT LICENSE FOR THEATRE WEST - 856 – APPROVED

Approve an application filed by William J. Campbell for a Special Event Liquor License for Theatre West, Stardust Theatre (Stardust Boulevard and R.H. Johnson Boulevard) in Sun City West, AZ, on October 31, 2008, 8:30 to 11:30 p.m. (SELL #856) (C-06-09-116-L-00)

b. SPECIAL EVENT LICENSE FOR THEATRE WEST - 857 – APPROVED

Approve an application filed by William J. Campbell for a Special Event Liquor License for Theatre West, Stardust Theatre (Stardust Boulevard. and R.H. Johnson Boulevard) in Sun City West, AZ, on January 30, 2009, 8:30 to 11:30 p.m.. (SELL #857) (C-06-09-117-L-00)

c. SPECIAL EVENT LICENSE FOR THEATRE WEST - 858 – APPROVED

Approve an application filed by William J. Campbell for a Special Event Liquor License for Theatre West, Stardust Theatre (Stardust Boulevard. and R.H. Johnson Boulevard) in Sun City West, AZ, on March 20, 2009, 8:30 to 11:30 p.m.. (SELL #858) (C-06-09-118-L-00)

d. SPECIAL EVENT LIQUOR LICENSE FOR CRETANS OF ARIZONA – APPROVED

Approve an application filed by Nektarios Brokalakis for a Special Event Liquor License for Cretans of Arizona, 2716 North Dobson Road, Chandler, AZ 85224, on November 1, 2008, 6:00 p.m. to 1:00 a.m. (SELL #860) (C-06-09-139-L-00)

e. SPECIAL EVENT LIQUOR LICENSE FOR ROTARY CLUB OF ANTHEM – APPROVED AS AMENDED

Approve an application filed by Craighton T. Boates for a Special Event Liquor License for the Rotary Club of Anthem, 41703 N. Gavilan Peak Parkway, Anthem, AZ 85086 on October 24 (5:00 to 10:00 pm); October 25 (10:00 am to 10:00 pm) and October 16, 2008, (10:00 am to 5:00 pm). (SELL#859) (C-06-09-137-L-00)

5. IMPACT STATEMENT FOR THE PROPOSED RIO RANCHO FIRE DISTRICT – WITHDRAWN

The following hearing is cancelled as the proponents of the district have withdrawn their request to form a Fire District at this time. No further action will be taken by the Board of Supervisors as this effort has been formally withdrawn.

Pursuant to A.R.S. §48-261, convene the scheduled public hearing regarding the impact statement for the proposed Rio Rancho Fire District. The Board will hear those who appear for and against the proposed district and shall determine whether the creation of the district will promote public health, comfort, convenience, necessity or welfare. If the Board determines that the public health, comfort, convenience, necessity or welfare will be promoted, it shall approve the district impact statement and authorize the persons proposing the district to circulate petitions. The proposed district is generally located in the unincorporated area east of the City of Scottsdale, north of the McDowell Mountain Park and south of the Tonto National Forest in the community of Rio Verde (Supervisory District 2). (C-06-09-067-7-01)

AGENCY ITEMS AND STATUTORY MATTERS

COUNTY OFFICERS

Clerk of the Board

6. FIREWORKS PERMIT - MANZANITA SPEEDWAY – APPROVED

Pursuant to A.R.S. § 36-1603, approve an application for a fireworks display filed by Kendon Victor, Fireworks Productions of Arizona, for Manzanita Speedway, 3417 W. Broadway Road, Phoenix, AZ 85041, on Saturday, October 25, 2008, at 7:30 pm. (C-06-09-138-L-00)

County Attorney

7. CAMELBACK ESPLANADE ASSOCIATION V. MARICOPA COUNTY, TX2003-000170 – WITHDRAWN

Take action to accept or reject Offer of Judgment submitted by Plaintiff Camelback Esplanade Association in the above referenced matter, as discussed in Executive Session on October 14, 2008. (C-19-09-030-M-00)

8. METRO DOWNTOWN CORPORATE PARK V. SCHWEIKERT, ET AL, CV 2007-000497 – WITHDRAWN

Take action to accept or reject settlement offer made by Plaintiff Chicanos Por La Causa in the above referenced matter, as discussed in Executive Session on October 14, 2008. (C-19-09-032-M-00)

9. TERRAVITA COUNTRY CLUB V. MARICOPA COUNTY, ET AL, TX2007-000315 – APPROVED AS AMENDED

Take action to authorize settlement of Terravita Country Club v. Maricopa County, et al, TX2007-000315, as discussed in Executive Session on October 14, 2008. (C-19-09-031-M-00)

DEPUTY COUNTY MANAGER

Public Health

10. PURCHASE ORDER FROM ARIZONA DEPARTMENT OF HEALTH SERVICES FOR PUBLIC HEALTH EMERGENCY MANAGEMENT PROGRAM – APPROVED

Approve the Purchase Order from Arizona Department of Health Services (ADHS) to Maricopa County through its Department of Public Health for additional funding for the Intergovernmental Agreement (IGA) HG754199 for the Public Health Emergency Management Program (PHEM). The purchase order allows to encumber in full a total not-to-exceed \$1,441,206 for the budget period starting August 10, 2008 through August 9, 2009. The Department of Public Health indirect rate for FY 2008-09 is 18.0%. Indirect costs are estimated at \$219,845, all of which is fully recoverable.

An appropriation adjustment is not requested at this time by Public Health (860) Grant Fund (532) operating budget (0000), as these funds were included in the FY 2008-09 Adopted Budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. Funds for this IGA are provided by a grant from ADHS and do not increase the County's general fund. (C-86-07-050-2-04)

11. AGREEMENT WITH CATHOLIC HEALTHCARE WEST FOR LEARNING EXPERIENCES – APPROVED

Approve a Hospital Partnership Agreement between Catholic Healthcare West, a California nonprofit public benefit corporation doing business as St. Joseph's Hospital and Medical Center (St. Joseph) and Maricopa County through the Department of Public Health (MCDPH). The purpose of the agreement is to allow MCDPH WIC and Breastfeeding Peer Counselor Program employees to participate in learning experiences, provide breastfeeding support to St. Joseph patients, and to enroll St. Joseph patients in the Maricopa County WIC program. The agreement is non-financial. The term of the agreement is from October 1, 2008 until September 30, 2010. (C-86-09-030-3-00)

12. AMENDMENT TO IGA WITH UNION ELEMENTARY SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION – APPROVED

Approve Amendment No. 2 to Intergovernmental Agreement (IGA) with the Union Elementary School District to extend the term of the IGA from May 2, 2008 through May 1, 2009 and increase the contract by \$1,500 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$4,500 for the budget term July 1, 2006 through May 1, 2009. This agreement is covered under Section MC1-1001 of the Maricopa County Procurement Code. All other term and conditions of the original Agreement shall remain in full force and effect. (C-86-07-447-2-02)

13. AGREEMENT WITH INTERNATIONAL INSTITUTE OF THE AMERICAS (IIA) FOR LEARNING EXPERIENCES – APPROVED

Approve an Affiliation Agreement with the International Institute of the Americas (IIA) to allow students from the Nursing Program (and other students, if preceptors are available) to participate in learning experiences at the Maricopa County Department of Public Health. The agreement is non-financial, and the term is from September 1, 2008 and valid through June 30, 2013. (C-86-09-029-3-00)

14. AMENDMENT TO IGA WITH GILA BEND ELEMENTARY SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION – APPROVED

Approve Amendment No. 2 to Intergovernmental Agreement (IGA) with the Gila Bend Elementary School District to extend the term of the IGA from May 2, 2008 through May 1, 2009 and increase the contract by \$1,500 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$4,500 for the budget term July 1, 2006 through May 1, 2009. This agreement is covered under Section MC1-1001 of the Maricopa County Procurement Code. All other terms and conditions of the original Agreement shall remain in full force and effect. (C-86-07-403-2-02)

15. AMENDMENT TO IGA WITH THE AVONDALE SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION – APPROVED

Approve Amendment No. 2 to Intergovernmental Agreement (IGA) with the Avondale School District to extend the term of the IGA from May 2, 2008 through May 1, 2009 and increase the contract by \$10,500 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$34,500 for the budget term July 1, 2006 through May 1, 2009. This agreement is covered under Section MC1-1001 of the Maricopa County Procurement Code. All other term and conditions of the original Agreement shall remain in full force and effect. (C-86-07-401-2-02)

16. AMENDMENT TO IGA WITH THE ARLINGTON SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION – APPROVED

Approve Amendment No. 2 to Intergovernmental Agreement (IGA) with the Arlington School District to extend the term of the IGA from May 2, 2008 through May 1, 2009 and increase the contract by \$1,500 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$4,500 for the budget term July 1, 2006

through May 1, 2009. This agreement is covered under Section MC1-1001 of the Maricopa County Procurement Code. All other term and conditions of the original Agreement shall remain in full force and effect. (C-86-07-400-2-02)

17. AMENDMENT TO IGA WITH THE PHOENIX ELEMENTARY SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION – APPROVED

Approve Amendment No. 2 to Intergovernmental Agreement (IGA) with the Phoenix Elementary School District to extend the term of the IGA from May 2, 2008 through May 1, 2009 and increase the contract by \$22,500 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$79,500 for the budget term July 1, 2006 through May 1, 2009. This agreement is covered under Section MC1-1001 of the Maricopa County Procurement Code. All other terms and conditions of the original Agreement shall remain in full force and effect. (C-86-07-425-2-02)

18. AMENDMENT TO IGA WITH THE ISAAC SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES – APPROVED

Approve Amendment No. 2 to Intergovernmental Agreement (IGA) with the Isaac School District to extend the term of the IGA from May 2, 2008 through May 1, 2009 and increase the contract by \$16,500 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$51,500 for budget term July 1, 2006 through May 1, 2009. This agreement is covered under Section MC1-1001 of the Maricopa County Procurement Code. All other term and conditions of the original Agreement shall remain in full force and effect. (C-86-07-406-2-02)

19. AMENDMENT TO IGA WITH THE GLENDALE ELEMENTARY SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES – APPROVED

Approve Amendment No. 3 to Intergovernmental Agreement (IGA) with the Glendale Elementary School District to extend the term of the IGA from May 2, 2008 through May 1, 2009 and increase the contract by \$13,500 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$50,500 for the budget term July 1, 2006 through May 1, 2009. This agreement is covered under Section MC1-1001 of the Maricopa County Procurement Code. All other terms of the IGA remain the same and in effect. (C-86-07-404-2-03)

20. AMENDMENT TO IGA WITH THE CARTWRIGHT SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES – APPROVED

Approve Amendment No. 5 to Intergovernmental Agreement (IGA) with the Cartwright School District to extend the term of the IGA from May 2, 2008 through May 1, 2009 and increase the contract by \$22,500 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$82,500 for the term July 1, 2006 through May 1, 2009. This agreement is covered under Section MC1-1001 of the Maricopa County Procurement Code. All other term and conditions of the original Agreement shall remain in full force and effect. (C-86-07-451-2-05)

21. AMENDMENT TO IGA WITH THE WASHINGTON SCHOOL DISTRICT TO PROVIDE

SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES – APPROVED

Approve Amendment No. 4 to Intergovernmental Agreement (IGA) with the Washington School District to extend the term of the IGA from May 2, 2008 through May 1, 2009 and increase the contract by \$24,000 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$105,000 for budget term July 1, 2006 through May 1, 2009. This agreement is covered under Section MC1-1001 of the Maricopa County Procurement Code. All other term and conditions of the original Agreement shall remain in full force and effect. (C-86-07-449-2-04)

22. AMENDMENT TO IGA WITH THE MADISON SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES – APPROVED

Approve Amendment No. 2 to Intergovernmental Agreement (IGA) with the Madison School District to extend the term of the IGA from May 2, 2008 through May 1, 2009 and increase the contract by \$1,500 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$9,500 for budget term October 1, 2006 through May 1, 2009. This agreement is covered under Section MC1-1001 of the Maricopa County Procurement Code. All other term and conditions of the original Agreement shall remain in full force and effect. (C-86-07-482-2-02)

23. AMENDMENT TO IGA WITH THE DEER VALLEY UNIFIED SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES – APPROVED

Approve Amendment No. 3 to Intergovernmental Agreement (IGA) with the Deer Valley Unified School District to extend the term of the IGA from May 2, 2008 through May 1, 2009 and increase the contract by \$10,500 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$125,500 for the term July 1, 2006 through May 1, 2009. This agreement is covered under Section MC1-1001 of the Maricopa County Procurement Code. All other term and conditions of the original Agreement shall remain in full force and effect. (C-86-07-418-2-03)

24. AMENDMENT TO IGA WITH ADHS FOR NUTRITION NETWORK - LOCAL INCENTIVE AWARD PROGRAM – APPROVED

Approve Amendment No. 1 to the Intergovernmental Agreement (IGA) Contract No. HG861075 between Arizona Department of Health Services (ADHS) and Maricopa County by and through Department of Public Health to provide additional funding for the Arizona Nutrition Network – Local Incentive Award program. Amendment No. 1 will: 1. Replace the title of Special Terms and Conditions (ST&C) paragraph seven (7), with "Effective September 30, 2008 – Compliance with A.R.S. §41-4401." The rest of the paragraph remains unchanged. 2. Add paragraph nine (9) to the ST&C, page eleven (11): New Budget Term. 3. Pursuant to page eleven (11), ST&C, paragraph nine (9) "New Budget Term" the price sheet of the original contract is replaced by revised price sheet, amendment one (1) page two (2) for budget period beginning October 1, 2008 to September 30, 2009. The price sheet is increased by \$39,435, for a total not to exceed \$268,822. All other provisions of this agreement remain unchanged. The Department of Public Health indirect rate for FY 2008-09 is 18.0%. Indirect costs are estimated at \$41,007 all of which is fully recoverable. Also approve revenue and expenditure appropriation adjustments to the Public Health Grant

Fund Department (860) Fund (532), Operating Budget (0000) associated with the aforementioned grant in an amount of \$32,208 for FY 2008-09. The appropriations adjustment is necessary because these funds were not included in the FY 2008-09 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. Of grant amount, \$172,041 was already included in the FY 2008-09 Adopted budget.

Funds for this IGA are provided by a grant from ADHS and do not increase the County's general fund. (C-86-08-026-2-01)

25. UNIVERSITY OF WISCONSIN, GREEN BAY STUDENT ROTATION TRAINING AGREEMENT – APPROVED

Approve a non-financial affiliation agreement with the University of Wisconsin – Green Bay (UWGB) and Maricopa County through its Department of Public Health (MCDPH) to allow students from the Dietetics Program (and other students, if preceptors are available) to participate in learning experiences at MCDPH. The term for this agreement is from October 1, 2008 and valid through September 30, 2013. (C-86-09-032-3-00)

ASSISTANT COUNTY MANAGER - COMMUNITY COLLABORATION

Animal Care & Control

26. AMENDMENT TO IGA WITH CITY OF GLENDALE – APPROVED

Approve Amendment No. 1 to Intergovernmental Agreement (IGA) C-79-08-022-2-00 between City of Glendale and Maricopa County Animal Care and Control, for the purpose of agreeing that Maricopa County officers, employees, contractees and agents providing services pursuant to the IGA are duly authorized as agents of the City of Glendale in accordance with the enforcement of the City Rabies/Animal Control Ordinance. This Amendment is effective from July 1, 2007 until June 30, 2010. (C-79-09-030-3-00)

27. AGREEMENT WITH CANINE CONNECTION FOR NEW HOPE PROGRAM – APPROVED

Approve an Agreement between Stefanie Strackbein, d.b.a. The Canine Connection, 3232 E. Nighthawk Way, Phoenix, AZ 85048, and Maricopa County to allow The Canine Connection under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates 60 new hope rescues over the term of the agreement, for a total of \$2,400. The term of this Agreement is from October 15, 2008 through June 30, 2009. (C-79-09-034-3-00)

28. AGREEMENT WITH ARIZONA WEIMARANER RESCUE FOR NEW HOPE PROGRAM – APPROVED

Approve an Agreement between Rebecca Knapp, d.b.a. Arizona Weimaraner Rescue, 5404 W. Sanna Street, Glendale, AZ 85302, and Maricopa County to allow Arizona Weimaraner Rescue under the New Hope Program to rescue animals that have been deemed eligible for

the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates 28 new hope rescues over the term of the agreement, for a total of \$1,120. The term of this Agreement is from October 15, 2008 through June 30, 2011. (C-79-09-033-3-00)

29. DONATION – APPROVED

Accept the monetary donation from **Rocio Guzman** of Phoenix, AZ in the amount of \$250 for the care of the animals. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-09-032-D-00)

30. DONATION – APPROVED

Accept the monetary donation from **Vernice Windus** of Chandler, AZ in the amount of \$250 for the care of the animals. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-09-031-D-00)

Community Development

31. RENEWAL OF CITY OF CHANDLER/MARICOPA COUNTY ENTERPRISE ZONE – APPROVED

Approve an Intergovernmental Agreement between City of Chandler and Maricopa County through the Community Development Department, for the purpose of renewing the City of Chandler/Maricopa County Enterprise Zone and adoption of a resolution supporting the enterprise zone renewal. This Intergovernmental Agreement is non-financial and is effective from date of execution until five years from date of execution.

The City of Chandler/Maricopa County Enterprise Zone was established per A.R.S. Section 41-1522 to promote the investment of capital and the creation of quality jobs by new and expanding enterprises in the most economically distressed areas of Maricopa County. The enterprise zone is generally bounded by the Western Canal, Ray Road and Chandler Boulevard on the north; Dobson Road, Alma School Road and Arizona Avenue on the west; Ocotillo Road and Pecos Road on the south; and Gilbert Road, Cooper Road McQueen Road and the Southern Pacific Railroad on the east. The zone includes Census tracts 4223.04, 5227.19, 5227.36, 5229.01, 5229.02, 5230.02, 5231.02, 5231.03, 5231.04. The County is required to approve the Enterprise Zone renewal and the IGA with the City of Chandler because the boundaries contain County Islands. (C-20-09-024-3-00)

32. CITY OF CHANDLER/MARICOPA COUNTY ENTERPRISE ZONE – APPROVED

Approve an Intergovernmental Agreement between City of Chandler and Maricopa County through the Community Development Department, for the purpose of executing the City of Chandler/Maricopa County Enterprise Zone and adoption of a resolution supporting the new

Enterprise Zone. This Intergovernmental Agreement is non-financial and is effective from date of execution until five years from date of execution.

The City of Chandler/Maricopa County Enterprise Zone is being established per A.R.S. Section 41-1522 to promote the investment of capital and the creation of quality jobs by new and expanding enterprises in the most economically distressed areas of Maricopa County. The proposed Enterprise Zone includes parts or entirety of Census tracts 4223.04, 5227.19, 5227.36, 5229.01, 5229.02, 5230.02, 5231.02, 5231.03, 5231.04, 4222.20, 5227.32, 5227.30, 5227.31, 5227.17, 5227.16, 5227.15. (C-20-09-025-3-00)

33. WESTERN MARICOPA ENTERPRISE ZONE INTERGOVERNMENTAL AGREEMENT – APPROVED

Approve an Intergovernmental Agreement between members of the Western Maricopa Enterprise Zone and Maricopa County through the Community Development Department, for the purpose of continuing the Western Maricopa Enterprise Zone. This Intergovernmental Agreement is non-financial and is effective from October 31, 2008 until October 31, 2013.

The Western Maricopa Enterprise Zone (WMEZ) was established per A.R.S. Section 41-1522 to improve economically-depressed sections of municipalities and rural areas through the development of job creating land uses and the inducement of capital investment. Members of the WMEZ include the Cities/Towns of Avondale, Buckeye, El Mirage, Gila Bend, Glendale, Goodyear, Guadalupe, Peoria, Phoenix, Surprise, Tolleson, Wickenburg, Youngtown each a municipal corporation, the Gila River Indian Community and Maricopa County. (C-20-09-026-3-00)

Human Services

34. CONTRACT WITH MATTEL, INC. FOR EMPLOYED WORKER TRAINING PROGRAM – APPROVED

Approve a Contract between Mattel, Inc. and Maricopa County through the Human Services Department, in the not-to-exceed amount of \$26,535. The purpose of this Contract is to provide funding for the Employed Worker Training Program. This Contract is effective from October 15, 2008 until October 14, 2009. This is an expenditure contract. The expenditures from this contract are reimbursed under the DES IGA C-22-09-008-3-00. (C-22-09-103-3-00)

35. AMENDMENT TO IGA WITH ARIZONA DEPARTMENT OF ECONOMIC SECURITY – APPROVED

Approve Amendment No. 5 to an Intergovernmental Agreement between Arizona Department of Economic Security (DE070298001) and Maricopa County through its Human Services Department. The purpose of this amendment is to rescind local WIA funds in the amount of (\$333,239). This decrease in funding is the result of a rescission of funds at the federal and state level. This rescission was expected and budgeted for in the FY 2008-09 adopted budget. This amendment is effective July 1, 2008 - June 30, 2009 (C-22-09-008-3-04)

36. AMENDMENT TO CITY OF TEMPE IGA FOR SPECIAL TRANSPORTATION SERVICES – APPROVED

Approve Amendment No. 1 to the intergovernmental agreement (IGA) with the City of Tempe (C2007-152-A) and Maricopa County through its Human Services Department (HSD) Special Transportation Services to increase the total funding from \$10,000 to \$20,000; and

to correct the contract number from the original number C-22-08-025-3-00 to C-22-08-171-3-00, which was authorized under the administrative correction on C-22-08-150-3-ZZ. The effective date of this amendment is February 1, 2008. The original term of this agreement was: July 1, 2007 – June 30, 2008. This increase will allow HSD to invoice the City of Tempe for services already rendered during the original term date for services February 1, 2008 - June 30, 2008. Indirect costs are recoverable within this contract at a rate of 15.2%, which is the HSD approved indirect cost rate for FY 2007-08. The indirect costs are estimated to be \$2,639 all of which are recoverable. Appropriations adjustment is not requested at this time as these funds were included in the year end true-up of the FY 2007-08 Adopted Budget. (C-22-08-171-3-01)

37. IGA WITH CITY OF AVONDALE FOR SPECIAL TRANSPORTATION SERVICES – APPROVED

Approve an Intergovernmental Agreement (IGA) between The City of Avondale and Maricopa County Human Services Department (HSD), for the provision of Special Transportation Services (STS). This Agreement is effective from July 1, 2008 until June 30, 2009. This purpose of this Agreement is for the provision of van transportation to City of Avondale eligible residents for an amount not-to-exceed \$20,000. The transportation service will be provided to the City's elderly, disabled and low-income participants for travel throughout Maricopa County. Reimbursement to HSD will be made on a per trip rate as detailed in the Agreement. The HSD FY 2008-09 indirect rate is 15.2%. Indirect expenses are fully recoverable and are estimated at \$2,639. Appropriation adjustment is not requested at this time as these funds are included in the 2008-09 Adopted Budget. (C-22-09-104-M-00)

38. IGA WITH CITY OF CHANDLER (TRANSIT) FOR SPECIAL TRANSPORTATION SERVICES – APPROVED

Approve an Intergovernmental Agreement between The City of Chandler and Maricopa County Human Services Department (HSD), for the provision of Special Transportation Services (STS). This Agreement is effective from July 1, 2008 until June 30, 2009. This purpose of this Agreement is for the provision of van transportation to City of Chandler eligible residents for an amount not-to-exceed \$125,000. The transportation service will be provided to the City's elderly, disabled and low-income participants for travel throughout Maricopa County. Reimbursement to HSD will be made on a per trip rate as detailed in the Agreement. The HSD FY2008-09 indirect rate is 15.2%. Indirect expenses are fully recoverable and are estimated at \$ 16,493. Appropriation adjustment is not requested at this time as these funds are included in the 2008-09 Adopted Budget. (C-22-09-107-M-00)

39. IGA WITH THE CITY OF GLENDALE (TRANSIT) FOR SPECIAL TRANSPORTATION SERVICES – APPROVED

Approve an Intergovernmental Agreement between The City of Glendale and Maricopa County Human Services Department (HSD), for the provision of Special Transportation Services (STS). This Agreement is effective from July 1, 2008 until June 30, 2009. The purpose of this Agreement is for the provision of van transportation to City of Glendale eligible residents for an amount not-to-exceed \$35,000. The transportation service will be provided to the City's elderly, disabled and low-income participants for travel throughout Maricopa County. Reimbursement to HSD will be made on a per trip rate as detailed in the Agreement. The HSD FY2008-09 indirect rate is 15.2%. Indirect expenses are fully recoverable and are estimated at \$4,618. Appropriation adjustment is not requested at this time as these funds are included in the 2008-09 Adopted Budget. (C-22-09-108-M-00)

40. IGA WITH THE CITY OF GOODYEAR FOR SPECIAL TRANSPORTATION SERVICES –

APPROVED

Approve an Intergovernmental Agreement between The City of Goodyear and Maricopa County Human Services Department (HSD), for the provision of Special Transportation Services (STS). This Agreement is effective from July 1, 2008 until June 30, 2009. The purpose of this Agreement is for the provision of van transportation to City of Goodyear eligible residents for an amount not-to-exceed \$35,000. The transportation service will be provided to the City's elderly, disabled and low-income participants for travel throughout Maricopa County. Reimbursement to HSD will be made on a per trip rate as detailed in the Agreement. The HSD FY2008-09 indirect rate is 15.2%. Indirect expenses are fully recoverable and are estimated at \$4618. Appropriations adjustment is not requested at this time as these funds are included in the 2008-09 Adopted Budget. (C-22-09-106-M-00)

41. IGA WITH THE CITY OF MESA FOR SPECIAL TRANSPORTATION SERVICES – APPROVED

Approve an Intergovernmental Agreement between The City of Mesa and Maricopa County Human Services Department (HSD), for the provision of Special Transportation Services (STS). This Agreement is effective from July 1, 2008 until June 30, 2009. The purpose of this Agreement is for the provision of van transportation to City of Mesa eligible residents for an amount not-to-exceed \$100,000. The transportation service will be provided to the City's elderly, disabled and low-income participants for travel throughout Maricopa County. Reimbursement to HSD will be made on a per trip rate as detailed in the Agreement. The HSD FY 2008-09 indirect rate is 15.2%. Indirect expenses are fully recoverable and are estimated at \$13,194. Appropriations adjustment is not requested at this time as these funds are included in the 2008-09 Adopted Budget. (C-22-09-105-M-00)

42. AMENDMENT TO IGA WITH THE TOWN OF FOUNTAIN HILL FOR SPECIAL TRANSPORTATION SERVICES – APPROVED

Approve Amendment No. 1 to an Intergovernmental Agreement between The Town of Fountain Hills and Maricopa County Human Services Department (HSD), for the provision of Special Transportation Services (STS). This Agreement is effective from July 1, 2008 until June 30, 2009. The purpose of this amendment is to change the trip rate from \$16.26 per trip to \$38.25 per trip. The transportation service will be provided to the City's elderly, disabled and low-income participants for travel throughout Maricopa County. Appropriations adjustment is not requested at this time as these funds are included in the 2008-09 Adopted Budget. (C-22-08-154-3-01)

43. IGA WITH THE CITY OF SCOTTSDALE FOR SPECIAL TRANSPORTATION SERVICES – APPROVED

Approve an Intergovernmental Agreement (IGA) between The City of Scottsdale and Maricopa County Human Services Department (HSD), for the provision of special transportation services (STS). This Agreement is effective from July 1, 2008 until June 30, 2009. This purpose of this Agreement is for the provision of van transportation to City of Scottsdale eligible residents for an amount not-to-exceed \$10,000. The transportation service will be provided to the City's elderly, disabled and low-income participants for travel throughout Maricopa County. Reimbursement to HSD will be made on a per trip rate as detailed in the Agreement. The HSDs FY2008-09 indirect rate is 15.2%. Indirect expenses are fully recoverable and are estimated at \$1319. Appropriations adjustment is not requested at this time as these funds are included in the 2008-09 Adopted Budget. (C-22-09-109-M-00)

CHIEF FINANCIAL OFFICER

Finance

44. FUNDS TRANSFERS; WARRANTS – APPROVED

Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

Materials Management

45. SOLICITATION SERIALS – APPROVED

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

a. 07141-RFP, ON-LINE LEGAL RESEARCH SERVICE

07141-RFP, On-Line Legal Research Service (\$920,000 estimate/three years with three one year renewal option until September 30, 2011) This action is to award contracts to LexisNexis and West Publishing to provide On-Line Legal Research Provider services over a three-year contract term. (C-73-09-024-3-00)

- **LexisNexis**
- **West Publishing Corporation**

b. 05119-C, QUALIFYING BID, PICKUPS, FULL SIZE VANS, SUV'S, SUBURBAN TYPE VEHICLES

05119-C, Qualifying Bid, Pickups, Full Size Vans, SUV's, Suburban Type Vehicles (\$15,000,000 estimate/three years until October 31, 2011). Price agreement renewal for qualifying bid for pickups, full size vans, SUV's, suburban type vehicles, 19,500# & under. (C-73-09-026-3-00)

- **Don Sanderson Ford-Fleet**
- **Bill Luke Chrysler Jeep & Dodge**
- **Courtesy Chevrolet**
- **Five Star Ford-Fleet**
- **Ford of North Scottsdale**
- **Thorobred Chevrolet**

Parks and Recreation

46. AMENDMENT TO AGREEMENT WITH U. S. FISH AND WILDLIFE SERVICE ARIZONA FOR MCDOWELL MOUNTAIN REGIONAL PARK PROJECT – APPROVED

Approve Amendment No. 1 to an Agreement between U. S. Fish and Wildlife Service Arizona and Maricopa County through the Parks and Recreation Department in the not-to-exceed amount of \$3,000. This amendment is funded by a grant from U. S. Fish and Wildlife Service, C-30-08-006-3-00. The purpose of this amendment is to extend the existing agreement to January 30, 2009. Due to delays in obtaining clearance from the State Historic Preservation Office for cultural resource clearances the project was not completed by August 30, 2008. This amendment is effective from October 15, 2008 to January 30, 2009. All other terms and conditions of the Agreement remain in full force and effect. (C-30-08-006-3-01)

ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES

Planning and Development

47. PILOT PROJECT & POLICY FOR REGIONAL DEVELOPMENT SERVICES CONSTELLATION REGARDING SURPLUS EQUIPMENT – APPROVED

1.) Approve a Pilot Project and Policy for the Regional Development Services Constellation (RDSA) for the disposal of computer equipment in order to maximize revenue. 2.) Declare as surplus and 3.) Authorize the disposition of computer equipment that is no longer used for operations within the RDSA constellation. 4) In accordance with A.R.S. 11-251(9), authorize the utilization of an internet auction process as described below for the disposition of surplus items. The RDSA constellation consists of the following departments: Air Quality, Emergency Management, Environmental Services, Equipment Services and Planning and Development. The pilot project will be for a period of October 15, 2008, through June 30, 2009. Results will be evaluated at the end of the pilot project and RDSA will return with a recommendation whether to continue or not. All hard drives will be wiped using the DOD 5220.22-M standard or hard drive manufacture's "Secure Erase" feature. The original operating system may be transferred if sold including the Certificate of Authenticity label. The sale of equipment under this pilot project will only include the original operating system purchased with the PC's. The operating system that the County uses as a part of the Enterprise Agreement with Microsoft will not be used or sold and will be wiped as described above. The estimated revenue generated from this pilot project is \$50,000. To date, RDSA has realized \$0 in return from the salvage agreement with UNICOR and/or Dell. To provide the equipment in a salvageable manner, it costs RDSA approximately \$4,000 annually.

RDSA uses the County contract for disposition of computer equipment; however the cost of removal and storage has proved more expensive than originally thought. RDSA staff upon research, OMB and Material Managements advice, believes that an internet auction is the most fiscally prudent and time efficient method of auctioning these items. If RDSA has equipment that is not advantageous to auction via an Internet auction site, this equipment will be disposed of in accordance with law and the Maricopa County Procurement Code. Any items proving unauctionable through this process will be disposed of through approved alternate means.

Pilot Process and Policy

All computers will be evaluated to determine the best method of recovery in order to maximize revenue return to Maricopa County RDSA. The methods available are: a.) Turn items over to County salvage for shipment to UNICOR as current arrangement allows. b.) Donate items to charitable organizations as approved by the BOS per A.R.S. 11-251.9.c.) Sell or transfer items to other County departments. d. Distribute list of current equipment to at least three IT salvage companies, and sell items to the highest bidder. e.) List items on a

Public WEB Based Auction Site and sell to highest bidder. Recoup shipping/handling fees as appropriate. If hard drives cannot be wiped they will be destroyed as per DOD standard (three holes drilled into drive media). In the case of b, c, d and e above, all hard drives will be wiped using the DOD 5220.22-M standard or hard drive manufacture's "Secure Erase" feature and reloaded with the original manufacture's software image where available. All items will be sold AS-IS without any warranty or returns allowed. (C-44-09-044-M-00)

ASSISTANT COUNTY MANAGER - PUBLIC WORKS

Public Works

48. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS – APPROVED

Approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. The list is on file in the Clerk of the Board's Office. (C-06-09-152-7-00)

49. CONTRACT WITH EPS GROUP, INC FOR SIGNAL BUTTE- RITTENHOUSE ROAD TO US60 CORRIDOR STUDY – APPROVED

Approve the Consultant Services Contract No. 2007-015 with EPS Group, Inc. in the amount not-to-exceed \$365,123.31 for MCDOT Transportation Planning Project (TPLN), Signal Butte: Rittenhouse Road to US60 Corridor Study, Job No. TT005.

This study will establish the facility type, number of lanes, right-of-way needs, and general alignment that will be required to accommodate projected traffic growth and enhance safety on the future Signal Butte Road. Supervisorial Districts 1 and 2 (C-91-09-054-M-00)

50. AGREEMENT WITH SIEMENS FOR MCDOT'S TRAFFIC MANAGEMENT SYSTEM – APPROVED

Approve a Sole Source Agreement between Siemens Energy & Automation, Inc. and the Maricopa County Department of Transportation (MCDOT) for the procurement of maintenance, technical support, and necessary system upgrades essential for ongoing operation of MCDOT's i2TMS Traffic Management System.

The i2TMS Traffic Management System is critical to the coordinated real-time functioning and monitoring of the traffic signals to minimize delays and improve safety on MCDOT roadways. The county is not aware of any other vendor that possesses the proprietary information necessary to provide and maintain the i2TMS Traffic Management System. The award of this sole source agreement meets the criteria of the Materials Management Policy #MM0034 - Sole Source Services or Commodities. The terms of this agreement are valid for one year after the Board of Supervisors approval. Supervisorial Districts 1,2,3, 4, and 5 (C-91-09-049-M-00)

51. IGA WITH THE UNIVERSITY OF ARIZONA FOR RESEARCH-ORIENTED TRAFFIC AND ITS TECHNOLOGY STUDIES – APPROVED

Approve the Intergovernmental Agreement between Maricopa County and the Arizona Board of Regents by and through the University of Arizona to coordinate the use of resources to perform research-oriented traffic and ITS technology studies. At the County's sole discretion, ask the University of Arizona (U of A) to perform research assignments for

the County. The County will financially participate by funding County requested research up to \$50,000 per County fiscal year, beginning July 1, 2008 and ending with FY 2012. Funding beyond FY 2009 is contingent upon the Board approving the FY 2010 to 2012 budgets. Supervisorial Districts No. 1, 2, 3, 4, & 5 (C-91-09-052-M-00)

52. AMENDMENT TO ADOT SAFE ROUTES TO SCHOOL PROGRAM GRANT – APPROVED

Authorize the extension of the ADOT Safe Routes to School Program Grant to June 30, 2009 and approve the revenue and expenditure appropriation increase in the amount of \$15,318.52 in FY2008-09 to the Public Works (910) Transportation Grant Fund (223) Non-Recurring (0001). The appropriation increase is necessary because these funds were not included in the FY 2008-09 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds is not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

On August 22, 2007, the Board approved the application and acceptance of reimbursement grant funding from the ADOT Safe Routes to School Program -- Round One (Agenda Item C-64-08-017-3-00). In late September 2007, MCDOT received notice to proceed (NTP) to implement the MCDOT Safe Routes to School Program that was awarded reimbursement grant funding in the amount of \$37,777 from the ADOT Safe Routes to School Program – Round One. The funding allows MCDOT to start-up Safe Routes to School Programs in nineteen (19) schools in the unincorporated areas of Maricopa County, plus four (4) schools in Litchfield Park. By the time the NTP was received from ADOT, MCDOT had worked out a transfer of a larger, related Safe Routes to School Support Center Transportation Enhancement grant to Valley Metro. In order to coordinate with this larger, two-year funding source and receive the benefits of its additional resources, MCDOT has delayed the actual implementation of the smaller ADOT Safe Routes to School funding to coincide with the implementation of the Valley Metro grant. In FY2008, MCDOT has expended \$22,458.48 of the \$37,777 in grant funding to obtain materials needed to implement the program in the upcoming school year and needs to move the rest of the grant reimbursement into FY09 to cover costs of additional goods and services necessary for the MCDOT Safe Routes to School Program during the 2008-2009 school year. The MCDOT Safe Routes to School Program is located in Supervisorial Districts 1, 2, 3, 4 and 5. (C-64-08-017-3-01)

BOARD OF SUPERVISORS

Clerk of the Board

53. REAPPOINTMENT TO THE FLOOD CONTROL ADVISORY BOARD – APPROVED

Approve the reappointment of Kent L. Cooper to the Flood Control Advisory Board as nominated by Supervisorial District 2. The term of the appointment will be effective November 16, 2008 through November 15, 2013. (C-06-09-119-9-00)

54. DESIGNATION OF ACTING SUPERINTENDENT OF STREETS – APPROVED

Adopt a Resolution designating Robert Herz as Acting Superintendent of Streets.

Richard A. Wallace, who served as the Superintendent of Streets retired September 19, 2008. Robert Herz, has accepted the position of Acting Superintendent of Streets. The

Office of Superintendent of Streets is located in the Engineering Division of the Maricopa County Department of Transportation. (C-91-09-055-M-00)

Industrial Development Authority

55. INDUSTRIAL DEVELOPMENT AUTHORITY FOR THE ISSUANCE OF AIRPORT SPECIAL FACILITIES REVENUE BONDS (HAWKER BEECHCRAFT PROJECT) SERIES 2008 – APPROVED

Adopt a Resolution approving the proceedings of The Industrial Development Authority of the County of Maricopa, Arizona for the issuance of its Airport Special Facilities Revenue Bonds (Hawker Beechcraft Project) Series 2008, to be issued in one or more series in an amount not-to-exceed \$14,000,000 aggregate principal amount. This item is being considering by the Board of Supervisors solely to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended, and the requirement of A.R.S. §35-721B, that the Board of Supervisors approve the proceedings under which bonds of The Industrial Development Authority of the County of Maricopa are issued. (C-18-09-030-2-00)

56. INDUSTRIAL DEVELOPMENT AUTHORITY FOR THE ISSUANCE OF VARIABLE RATE DEMAND REVENUE BONDS (VALLEY OF THE SUN YMCA PROJECT) SERIES 2008 – APPROVED

Adopt a Resolution approving the proceedings of The Industrial Development Authority of the County of Maricopa, Arizona for the issuance of its Variable Rate Demand Revenue Bonds (Valley of the Sun YMCA Project) Series 2008, to be issued in one or more series in an amount not-to-exceed \$30,000,000 aggregate principal amount. This item is being considering by the Board of Supervisors solely to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended, and the requirement of A.R.S. §35-721B, that the Board of Supervisors approve the proceedings under which bonds of The Industrial Development Authority of the County of Maricopa are issued. (C-18-09-028-2-00)

57. INDUSTRIAL DEVELOPMENT AUTHORITY FOR THE ISSUANCE OF MULTIFAMILY HOUSING REVENUE REFUNDING BONDS (VILLAGE AT SUN VALLEY APARTMENTS PROJECT) SERIES 2008 – APPROVED

Adopt a Resolution approving the proceedings of The Industrial Development Authority of the County of Maricopa, Arizona for the issuance of its Multifamily Housing Revenue Refunding Bonds (Village at Sun Valley Apartments Project) Series 2008, to be issued in one or more series in an amount not-to-exceed \$13,630,000 aggregate principal amount. This item is being considering by the Board of Supervisors solely to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended, and the requirement of A.R.S. §35-721B, that the Board of Supervisors approve the proceedings under which bonds of The Industrial Development Authority of the County of Maricopa are issued. (C-18-09-029-2-00)

SETTING OF HEARINGS

~All hearings will be held at 9:00 am, 205 W. Jefferson, Phoenix, unless otherwise noted~

Planning and Development

58. ZONING CASES – APPROVED

Schedule Planning and Development public hearings on zoning cases and other matters for 1:00 pm, Thursday, November 6, 2008. (List on file in the Clerk of the Board office) (C-44-09-036-M-00)

Air Quality

59. RESOLUTION FOR DUST CONTROL PERMIT APPLICATION PACKAGE – APPROVED

Pursuant to A.R.S. 49-479(b), set a public hearing for December 3, 2008 to solicit comments and consider the adoption of the Resolution to submit supplemental information on the implementation of Maricopa County Air Pollution Control Rule 310 - Fugitive Dust from Dust-Generating Operations consisting of the Dust Control Permit Application package as a revision to the Arizona State Implementation Plan (SIP) for PM10. Following the public hearing, the Board is requested to approve the attached Resolution and submit it as a revision to the Arizona State Implementation Plan (SIP) for PM10. Upon Board approval, this item will become effective December 3, 2008. (C-85-09-005-7-00)

60. INCORPORATION BY REFERENCE RULEMAKING – APPROVED

Pursuant to A.R.S. 49-479(b), set a public hearing for December 3, 2008 to solicit comments and consider the adoption of proposed revisions the following Maricopa County Air Pollution Control Regulations: Rule 317 - Hospital/Medical/Infectious Waste Incinerators, Rule 321 - Municipal Solid Waste Landfills, Rule 360 - New Source Performance Standards, Rule 370 - Federal Hazardous Air Pollution Program, Rule 371 - Acid Rain, and Appendix G - Incorporated Materials. Following the public hearing, the Board is requested to adopt proposed revisions to Maricopa County Air Pollution Control Regulations Rules 317, 321, 360, 370, 371 and Appendix G. Upon Board approval, this item will become effective December 3, 2008. (C-85-09-004-7-00)

CONSENT AGENDA

Clerk of the Board

61. APPOINTMENTS – APPROVED

Approve the Official Appointment of Robert Herz as Limited Special Deputy Clerk in improvement district matters. (C-06-09-149-7-00)

62. DONATIONS – APPROVED

In accordance with County Policy A2805, accept the monthly donation report received from Library District for September 2008. Donation reports are on file in the Clerk of the Board's Office. (C-06-09-142-7-00)

63. DUPLICATE WARRANTS – APPROVED

Pursuant to A.R.S §11-632, approve and ratify the issuance of duplicate warrants to replace county warrants and school warrants which were either lost or stolen. Necessary affidavits have been filed with the Board. Affidavits presented are on file in the Clerk of the Board's

Office. (C-06-09-153-7-00)

64. MARKET RANGES – APPROVED

Pursuant to A.R.S. §§11-251.38 and 251.51, approve the addition and/or replacement of Market Ranges to the authorized comprehensive listing of employee compensation Market Ranges previously approved by the Board of Supervisors. List of additional and/or replacement market ranges are on file in the Clerk of the Board's office. (C-06-09-150-7-00)

65. MINUTES – APPROVED

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Supervisors' meetings held June 19, 2008 and July 21, 2008. (C-06-09-144-7-00)

66. SECURED TAX ROLL CORRECTIONS – APPROVED

Pursuant to A.R.S. §§42-15155, 16002, 16215, 16258, and 19118, approve requests from the Assessor for corrections of the Secured Tax Rolls Resolutions. This reflects actual tax dollar corrections to the County tax rolls due to administrative corrections of the Assessor and as a result of property tax appeals. Resolutions on file in the Clerk of the Board's Office. (C-06-09-156-7-00)

67. SETTLEMENT OF PROPERTY TAX CASES – APPROVED

Pursuant to A.R.S. §§42-16201 through 16215, approve the settlement of tax cases dated October 15, 2008. List is on file in the Clerk of the Board's Office. (C-06-09-157-7-00)

68. STALE DATED WARRANTS – APPROVED

Pursuant to A.R.S. §11-644 the Board of Supervisors finds that claims presented, are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. List of claims is on file in the Clerk of the Board's Office. (C-06-09-155-7-00)

69. TAX ABATEMENTS – APPROVED

Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §42-18353. List is on file in the Clerk of the Board's Office. (C-06-09-154-7-00)

IMPROVEMENT DISTRICT AGENDA

I-1. MINUTES – APPROVED

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Directors' meeting held June 19, 2008. (C-06-09-148-7-00)

FLOOD CONTROL DISTRICT AGENDA

F-1. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS – APPROVED

Approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. The list is on file in the Clerk of the Board's Office. (C-06-09-151-7-00)

F-2. MINUTES – APPROVED

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Directors' meetings held May 19, 2008 and June 19, 2008. (C-06-09-145-7-00)

F-3. SHEA HOMES DECLARATION OF DE-ANNEXATION FROM COVENANTS, CONDITIONS AND RESTRICTIONS – APPROVED

Approve a Declaration of De-Annexation of Flood Control District of Maricopa County (District) owned property from Arroyo Mountain Estates', Declaration of Covenants, Conditions and Restrictions (CC&R's).

The District purchased 28 parcels (25 residential lots and 3 common area parcels) from Shea Homes Limited Partnership for the construction of the White Tanks #3 Outlet Channel. The Arroyo Mountain Estates is the Homeowner's Association for Jackrabbit Estates and the controlling interest is held by Shea Homes Limited Partnership. These lots are located at the northeast corner of Jackrabbit Trail and Camelback Road within the Jackrabbit Estates subdivision (MCR 794-03). They were acquired by the District on July 2, 2008 (County Recorder #20080586672). The lots being de-annexed from the CC&R's are lots 1, 2 54, 55, 56, 57, 58, 59, 60, 61, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 363, 364, and portions of tracts A, M and O. Shea Homes Limited Partnership, is now required to De-Annex these parcels from their CC&R's to indicate that these lots are no longer part of the subdivision. This item impacts Supervisory District 4. (C-69-09-013-8-00)

F-4. IGA WITH THE UNITED STATES GEOLOGICAL SURVEY FOR WATER RESOURCE INVESTIGATION – APPROVED

Approve Intergovernmental Agreement (IGA) FCD 2008A012, between the Flood Control District of Maricopa County (District) and the United States Geological Survey (USGS), covering the period October 1, 2008 to September 30, 2009, to continue collecting data on local watersheds. This has been an ongoing joint agreement for more than 20 years. The total cost of the IGA is \$272,600. This amount represents a 2% cost increase from IGA FCD 2007A010. The District costs under this agreement will be \$136,300, with the USGS contributing the remaining \$136,300. Payments from the District are to be made quarterly.

The Board approved IGA FCD 2007A010 on October 17, 2007 (C-69-08-017-2-00). This Agreement is a continuation of the professional relationship and cooperative activity between the District and USGS. The USGS will be responsible for completion of all work items under this IGA. The purpose is: 1) to develop and evaluate long term flood histories on watercourses in Maricopa County, and 2) to provide information critical to the determination of the risk of flooding in these watercourses. The USGS is the recognized authority for water resource data collection and analysis which provides unbiased hydrologic data necessary for the District and the engineering community to design flood control and drainage structures. (C-69-09-017-9-00)

F-5. BID AND AWARD CONTRACT FOR BETHANY HOME OUTFALL CHANNEL PROJECT

– APPROVED

Authorize the Flood Control District of Maricopa County (District) to issue an Invitation for Bids for Contract FCD 2008C011, Bethany Home Outfall Channel Reach D, 67th Avenue to Indian School Road (#620), and to award the contract to the lowest responsible bidder if the bid is not more than 10% over the engineer's estimate

The District and the local municipalities developed the Maryvale Area Drainage Master Study (ADMS) to identify existing and future drainage and flooding problems and solutions. The Bethany Home Outfall Channel project was identified in the ADMS, and is being constructed in reaches. Construction of the first three reaches has been completed in the past four years. The Project was authorized by Resolutions 98-12 on November 14, 1998 (C-69-99-036-6-00) and 98-12A on October 18, 2000 (C-69-00-036-6-01). The Board approved Intergovernmental Agreements (IGAs) FCD 2000A013 on March 21, 2001 (C-69-01-054-2-00) and FCD 2002A003 on October 2, 2002 (C-69-03-019-2-00) among the District, the City of Glendale, and the City of Phoenix for cost sharing, design, rights-of-way acquisition, construction, construction management, operation and maintenance of the Project. Per the IGA, the cost of the project will be shared (50% District, 25% Glendale, 25% Phoenix). The District will be the lead agency for construction of the project. The project is located in Supervisory District 5. (C-69-09-015-5-00)

F-6. RESOLUTION FOR GILA RIVER BANK STABILIZATION/LEEVE PROJECT – APPROVED

Approve Resolution FCD 2008R011, for the Gila River Bank Stabilization/Levee Project (PROJECT), authorizing the Chief Engineer and General Manager of the Flood Control District of Maricopa County (DISTRICT) to negotiate and prepare Intergovernmental Agreements (IGAs) with the Town of Buckeye (BUCKEYE), Buckeye Water Conservation and Drainage District (BWCDD) and others, as necessary, and include funds in the DISTRICT's current and future Capital Improvement Programs for the design, acquisition of rights-of-way or easements, utilities relocation, construction, construction management, and operation and maintenance

The DISTRICT in cooperation with the City of Avondale, City of Goodyear, and BUCKEYE, completed the El Rio Watercourse Master Plan (WCMP) in 2006. The El Rio WCMP outlines a recommended alternative for managing the 17.5 miles of the Gila River from the confluence with the Agua Fria River to the State Route 85 (SR 85) bridge. The recommended alternative includes soft structural levee/bank protection, floodplain management, vegetation management, and facilitates recreational and wildlife habitat enhancements. The PROJECT implements the portion of the levee/bank protection recommended in the El Rio WCMP from the 175th Avenue Alignment to Jackrabbit Trail. The PROJECT has the potential to provide erosion protection and 100-year flood protection for major infrastructure including canals, roads and schools, as well as several square miles of residences and farm operations. The PROJECT was requested by BUCKEYE and the BWCDD. The PROJECT was endorsed by the Flood Control Advisory Board for inclusion in the DISTRICT's Capital Improvement Program under the FY 04/05 Prioritization Procedure. This agenda item impacts Supervisory Districts 4 and 5. (C-69-09-016-6-00)

LIBRARY DISTRICT AGENDA

L-1. MINUTES – APPROVED

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Directors' meetings held May 19, 2008 and June 19, 2008. (C-06-09-146-7-00)

STADIUM DISTRICT AGENDA

S-1. MINUTES – APPROVED

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Directors' meetings held May 19, 2008 and June 19, 2008. (C-06-09-147-7-00)

S-2. DECLARE AS SURPLUS AND AUTHORIZE THE DISPOSITION OF FIXED ASSETS NO LONGER NEEDED FOR OPERATIONS OF CHASE FIELD – APPROVED

Declare as surplus and authorize the disposition of fixed assets such as suite furniture, building materials, and equipment that are no longer needed for operations of Chase Field. Authorize the utilization of an internet auction process as described below for the disposition of remaining surplus items.

Chase Field is now 11 years old and many items are at the point of replacement and disposition. The construction projects over the last couple of years have produced a number of surplus items from suite furniture to televisions, and various multimedia production equipment. Most of these items are 11 years old and at the end of their useful life, but may still have some use or value. (C-68-09-003-3-00)

CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS

70. Public comment on matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the Chairman.) – **NO ACTION**
71. Supervisors'/County Manager's summary of current events. – **NO ACTION**

CODE ENFORCEMENT REVIEW

The Board of Supervisors will now consider Code Enforcement Reviews.

Please note that these matters are of a quasi-judicial nature and the Board will review the Hearing Officer's decision in each case to determine if sufficient evidence was presented to the Hearing Officer to support the decision or whether a procedural error may have occurred. New evidence is not considered at these hearings.

PZ-1. BRIAN LA PLANTE - V2005-00093 – CONTINUED TO 2009

This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V2005-00093, Brian La Plante. This item was continued from the August 6, 2008 meeting. (Supervisory District 3) (ADM3417-063) (C-06-09-037-M-00)

PZ-2. TIM MERKER-V2007-01292 AND V2007-01009 – CONTINUED FOR 6 MONTHS

This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Cases No.V2007-01292 and V2007-01009 for Tim Merker. (Supervisor District 3) (ADM3417-066) (C-06-09-143-M-00)

PLANNING AND ZONING AGENDA

The Board of Supervisors will now consider matters related to Planning and Zoning.

CONSENT AGENDA

1. SALT RIVER PROJECT SPECIAL USE PERMIT REMOVAL – APPROVED

Case Number: Z2003020
Supervisory District: 5
Applicant: Salt River Project
Location: 14600 South Dusty Lane
Request: Applicant initiated removal of Special Use Permit for a Cellular Communications Facility in the Rural-42 zoning district, Cellular Use District 1 (approx. 0.02 ac) - Salt River Project
Commission Action: Approve (remove the Z2003020 SUP overlay) by unanimous vote of 6-0.
(C-44-09-038-7-00)

2. SPECIAL USE PERMIT - HORIZON TOWER – APPROVED

Case Number: Z2008018
Supervisory District: 4
Applicant: Horizon Tower Corporation/Starbridge Communications
Location: Dove Valley Road, west of 163rd Avenue (in the Surprise area)
Request: Special Use Permit for a Cellular Communications Facility in the Rural-43 zoning district, Cellular Use District 1 (approx. 0.068 ac.) - Sprint
Commission Action: Approve by unanimous vote of 6-0 subject to stipulations 'a' - 'v':
(C-44-09-043-7-00)

REGULAR AGENDA

3. ACCESSORY DWELLING UNIT REVISIONS – APPROVED

Case Number: TA2008005
Supervisory District: All Districts

Applicant: Commission initiated
Location: All portions of unincorporated Maricopa County
Request: A Text Amendment (TA) to the Maricopa County Zoning Ordinance (MCZO) to add a definition for a Guest House and revising regulatory process to allow for Accessory Dwelling Units (ADU) in the Rural and Residential zoning districts.
Commission Action: Approve as recommended by staff by a unanimous vote of 6-0.
(C-44-09-039-7-00)

4. ZONE CHANGE - GRAND OASIS – APPROVED

Case Number: Z2007094
Supervisory District: 4
Applicant: Withey Morris, PLC
Location: South and west of Grand Avenue and the 227th Avenue alignment (in the north Surprise area)
Request: Zone Change from Rural-43 WHSC to R1-8. R1-7, R1-6 & R-4, all with RUPD, PAD & WHSC overlays (approx. 157 ac.) - Grand Oasis
Commission Action: Approve by unanimous vote of 6-0, subject to modified stipulations 'a' – 's'.
(C-44-09-041-7-00)

5. SPECIAL USE PERMIT - GLENDALE AVENUE ARSENIC TREATMENT PLANT – APPROVED

Case Number: Z2008010
Supervisory District: 4
Applicant: Ramesh Narasimhan, Narasimhan Consulting Services, Inc.
Location: Southeast corner of Glendale Avenue and 137th Avenue (in the west Glendale area)
Request: Special Use Permit (SUP) for a water treatment facility for arsenic removal in the Rural-43 and C-2 PD zoning districts, Airport Zone 4 overlay district and within the high noise and accident potential zone of LAFB.
Commission Action: Approve by unanimous vote of 9-0, subject to stipulations "a" through "I".
(C-44-09-042-7-00)

6. ARROWHEAD MONTESSORI SCHOOL STIPULATION MODIFICATION – APPROVED

Case Number: Z2008084
Supervisory District: 4
Applicant: GK Smith, Inc.
Location: Northeast corner of 83rd Avenue and Banff Lane (in the north Peoria

area)
Request: Modification of Stipulations “a”, “b” and “j” of Z2004129 for a Special
Use Permit (SUP) for a private school in the Rural-43 zoning district
Commission Action: Approve by unanimous vote of 6-0, subject to modified stipulations ‘a’ –
‘w’.
(C-44-09-040-7-00)